

4. WILDLIFE AND COUNTRYSIDE ACT 1981  
CLAIMED BRIDLEWAY FROM SWARTHBECK BRIDGE, ALONG LORDS LOT ROAD  
TO BORWICK ROAD, OVER KELLET, LANCASTER DISTRICT  
CLAIM NO. 804/39/1/24/2

The Sub-Committee will recall that this claim, which was submitted by the Over Kellet Parish Council, was before them for consideration at the last meeting, is for a bridleway extending from the B6254 near Swarthbeck Bridge along the route shown as Lords Lot Road to Borwick Road, a total distance of 1,935 metres approximately. It is shown A-B on the attached plan. The claim was deferred pending inspection by the appointed representatives of the three political groups.

The route for most of its length is stone surfaced, or soil over stone, but certain sections tend to retain water.

The route is shown on Teesdale-Hennett's Map 1828-30 and on the 1845 Ordnance Survey Map. However, occupation roads as well as highways were shown on these maps and there is no other historical evidence (e.g. Tithe Award) to confirm its status as highway.

The Parish Council have submitted no evidence of usage, but the site inspection confirms that the route is used by pedestrians, horses and vehicles. However, there is nothing to indicate whether this is use by the public or use as a private occupation road. Also there is an obstruction in the form of a locked gate at Point B, and while it is possible for horses to pass by the side of this with difficulty it is clearly intended to deny access. This is the view of Lancaster City Council.

The Forestry Commission, one of the landowners, have objected to the claim but indicated they would be prepared to allow permissive bridleway use. No comment has been made by the other landowner.

Because of the obstruction, and because the historical evidence is not sufficient to support the claim, it is considered that it should be rejected.

RECOMMENDATION: That the claim for a bridleway extending from Swarthbeck Bridge, along Lords Lot Road to Borwick Road, Over Kellet, Claim No. 804/39/1/24/2, be not accepted.

5. WILDLIFE AND COUNTRYSIDE ACT 1981  
CLAIMED BYWAY OPEN TO ALL TRAFFIC FROM BORWICK HALL BRIDGE,  
BORWICK TO CAPERNWRAY OLD HALL, OVER KELLET, LANCASTER DISTRICT  
CLAIM NO. 804/45/24/8

Description and Location of the Claim

The claim is for a Byway Open to All Traffic extending from Borwick Hall Bridge to Capernwray Old Hall. The total length of the claimed route is approximately 1,450 metres and it is shown 'A'-'B' on the attached plan.

Consultations

a) Lancaster City Council

The City Council have stated that the claim is for the upgrading of the route from a bridleway although records do not indicate that the route is an existing bridleway. The route forms a natural network from Capernwray Old Hall to Borwick Hall Bridge.